

### **Remarks**

Entry of the above amendments is requested. This application was filed as a United States national application under 35 USC §371. Pursuant to a preliminary amendment filed upon national stage entry, claims 23-28 were canceled, claims 2, 13-16, 20, and 21 were canceled in Response to Restriction.

In the current Submission:

Claims 1, 3 4, 10, 17 have been amended;

Claim 22 has been canceled;

Claims 17-19 have been withdrawn from consideration; and

No claims have been added.

Upon entry of the above amendments, this application will contain claims 1, 3-12, and 17-19.

As discussed more fully below, it is believed that this application is in condition for allowance. Therefore, reconsideration leading to allowance of all pending claims is requested.

#### **I. Election/ Restriction Requirement**

Claims 17-19 have been withdrawn from consideration because of a restriction requirement. The undersigned attorney for the applicants request rejoinder of these method claims upon indication of allowable compound claims.

#### **II. Claim Objections**

Objections were raised to claim 1 for a missing period at the end of the claim. Claim 1 has been amend to supply the missing period.

Objections were raised to claim 10 for typographical errors i.e. for reciting “The prodrug derivative of the A compound”. The phrase “The prodrug derivative of the” has been deleted, and the subject from claim 1, as currently amended, has been added to claim 10. It is believed that this amendment does not add new matter since the added subject matter originates from claim 1, which was specifically referenced in claim 10 as originally filed.

Objections were raised to claims 3 and 4 for an improper Markush format. These claims have been amended as suggested by the Examiner.

In light of the above comments and claim amendments, withdrawal of these objections is requested.

III. Rejections under 35 USC §112, 2<sup>nd</sup> Paragraph

Claims 1, and 8-12 were rejected under 35 USC §112, 2<sup>nd</sup> paragraph, as indefinite for failing to provide a definition of the L3 substituent. Claim 1 has been amended by replacing the structural formula with one that does not include the L3 substituent. Support for this amendment can be found in the subgenus of compounds originally claimed in which L3 is a bond. It is believed that this amendment does not add new matter.

In light of the above comments and claim amendments, withdrawal of these rejections is requested.

IV. Rejections under 35 USC §112, 1<sup>st</sup> Paragraph

Claims 1 and 8-12 were rejected under 35 USC §112, 1<sup>st</sup> paragraph for lack of enablement of compounds in which R and R' together form a carbocyclic ring. The applicants respectfully traverse this rejection. Support for these compounds can be found in the published patent application on pages 19-22, which illustrate general synthetic schemes for the preparation of the allegedly non-enabled compounds. Further the compounds thus prepared can be evaluated using the assays listed on pages 38-41. (All references to the published patent application refer to US2008 0200552 published 21 August 2008.)

However in order to advance the prosecution of this application, claim 1 has been amended by deleting reference to R and R' forming a carbocyclic ring having from 3 to 8 carbon atoms.

In light of the above comments and claim amendments, withdrawal of these rejections is requested.

V. Conclusion

Timely reconsideration leading to allowance of all claims is respectfully requested. The Examiner is invited to contact the undersigned attorney by telephone if there are any questions about this Submission or other issues that may be resolved in that fashion.

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